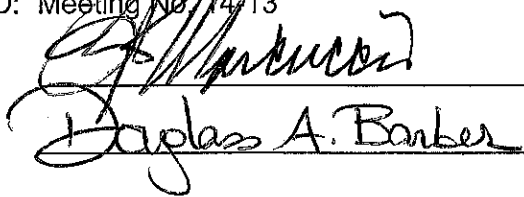


APPROVED: Meeting No. 01-13

ATTEST:



Phyllis Marcuccio
Douglas A. Barber

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND

January 7, 2013

7:00 p.m.

Meeting No. 01-13

Executive Session pursuant to Section 10-508(a)(3),(5),(7) and (9), to consider the acquisition of real property for a public purpose and matters directly related thereto; to consider the investment of public funds; to consult with counsel to obtain legal advice; and to consult with staff, or other individuals about pending or potential litigation (Rockville Town Center and PEPCO rate case).

The Mayor and Council met in Executive Session on January 7, 2013 at 6:06 p.m. in the Diamond Back Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Councilmember Newton made the motion to convene in Executive Session seconded by Councilmember Moore and unanimously passed.

Present at the Executive Session were Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala. Also present were City Manager Barbara Matthews, Assistant City Manager Jenny Kimball, City Clerk/Treasurer Doug Barber, City Attorney Debra Daniel, Senior Assistant City Attorney Cindy Walters, Community Planning and Development Services (CPDS) Director Susan Swift, Director of Public Works Craig Simoneau.

The topics of discussion were Rockville Town Center and a Potomac Electric Power Company (PEPCO) rate case.

The Mayor and Council adjourned the Executive Session at 7:00 p.m.

PRESENT:

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala.

STAFF PRESENT:

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

1. Convene

The Mayor and Council convened in a regular meeting at 7:05 pm on Monday, January 7, 2013, in the Mayor and Council Chambers, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland.

2. Pledge of Allegiance

Mayor Marcuccio led the Pledge of Allegiance.

3. Agenda Review

City Clerk Barber noted there were no changes to the agenda.

4. City Manager's Report

City Manager Matthews announced that the WSSC's meeting regarding sewer improvements in the Cabin John Basin/Rockville area scheduled for January 10 has been cancelled.

City Manager Matthews provided an update on the "Let's Move" - an initiative of Michelle Obama to engage communities in solving childhood obesity.

5. Appointments/Reappointments & Announcements of Vacancies

Motion: To reappoint James Marrinan to the Compensation Commission until December 31, 2017.

Moved by Councilmember Pierzchala, seconded by Councilmember Hall, and unanimously approved.

Motion: To reappoint Abe Brown III to the Cultural Arts Commission until January 1, 2016.

Moved by Councilmember Hall, seconded by Councilmember Newton, and unanimously approved.

Motion: To reappoint Kathy Neale to the Senior Citizens Commission until January 1, 2016.

Moved by Councilmember Newton, seconded by Councilmember Pierzchala, and unanimously approved.

Mayor Marcuccio read the vacancies for the following Boards and Commissions: Cultural Arts Commission, Human Rights Commission, Human Services Advisory Commission, Planning Commission and Sign Review Board.

6. Citizens' Forum

Citizen

Issue

Liz Slyne

Funding for Senior Programs; Drop In Corner

Nahid Limber	Funding for Senior Programs
Anne Goodman	Stormwater run-off issue on Anderson Avenue
Jackie Dixon	Anderson Alley Rain Garden Project
Jim Marrinan	Funding for Senior Programs

7. Mayor and Council's Response to Citizens' Forum and Announcement.

Councilmember Pierzchala Best three minute talk on Senior Center from Liz Slyne

8. Mayor and Council Reports

Councilmembers Pierzchala and Newton attended the Montgomery County Chapter of the NAACP event.

Mayor Marcuccio announced the next meeting of the Science Café and said that the topic would center around arsenic. The Mayor gave a shout out to Suburban Hospital for the wonderful care and treatment she received during a recent routine procedure that turned out to be more serious.

9. Consent Agenda

- A. Award of Rider contract under Maryland State Highway Administration Contract #XX4505280 for Bridge Rehabilitation in an Amount Not to Exceed \$1,000,000 through June 30, 2014
- B. Approval of Modification to the Maryland Avenue Sidewalk Project and Approval of Modification in the Bikeway Master Plan
- C. Approval of contract Increase to IFB #43-10, Water Treatment Chemicals, in an Amount Not to Exceed \$143,700 for PACI through June 30, 2013 with Options to Extend the Contract through June 30, 2015
- D. Introduction of Ordinance to Amend Chapter 17 of the Rockville City Code, Entitled "Purchasing" to Add Definitions of "Local Business" and "Tie Bids" and to Amend Provisions on Award of Tie Bids

Motion: To approve the Consent Agenda

Moved by Councilmember Hall, seconded by Councilmember Moore, and unanimously approved.

10. Discussion – Costs and Revenues Associated with New Development

Community Planning and Development Services Director Susan Swift addressed the Mayor and Council and provided a brief summary. Director Swift introduced the consultants, David Hyder and Clive Graham, who made the presentation to the Mayor and Council.

There was broad and general discussion between the Mayor and Council, staff and the consultants that included:

- whether revenue generated by new development is sufficient to cover the costs of City services for both operating and capital costs and the negative impact of development on the City's General Fund;
- costs and revenues for residents on a per capita basis and for people employed in the City limits (per employee or "daytime population");
- the average annual net fiscal impacts of development;
- assessed value break-even values for existing single family residential, existing multi-family residential per unit, retail space per square foot, office space per square foot, and hotel per square foot;
- methodology.

At the conclusion of the study, the Mayor and Council expressed their satisfaction that the costs and revenues associated with new development shows it generally pays for itself (i.e., the amount of revenue generated from the property and other taxes tends to exceed the cost of providing services to that new development.)

At the conclusion of the discussion, the Mayor and Council thanked Municipal and Financial Services Group for the comprehensive study and were pleased that examples studied showed that the projects paid for themselves, and more.

11. Review and Comment Regarding Mayor and Council Action Report

Councilmember Newton inquired as to a completion date for the Zoning Ordinance Text Amendment MC-2012-66 and noted that the Planning Commission would conduct a public hearing on this application on January 14, 2013.

12. Review and Comment Regarding Future Agendas

Councilmember Newton expressed the need to have all of the Boards and Commissions minutes up on the website. Assistant City Manager Kimball responded that this was being looked into in the context of the city-wide web update.

Councilmember Newton requested that the Ethics letter from Gaithersburg be placed on the agenda for next week. City Attorney Daniel recommended this item be a separate agenda item.

Councilmember Moore requested an analysis of what Gaithersburg is proposing. City Attorney Daniel noted this proposal has not yet been introduced but that Gaithersburg is looking for a Co-sponsor. Ms. Daniel stated that when the Mayor and Council are looking at proposed changes to the City's Ethics Ordinance, they are reviewing what is currently in the State code.

Councilmember Newton mentioned correspondence that she had received from citizens regarding the need to complete the Anderson sidewalks project and requested that this item be placed on a forthcoming agenda. Public Works Director Simoneau responded that the City Manager would be briefed this week and then the matter would be brought to the Mayor and Council in Executive Session to see what direction this should take prior to a public session.

13. Old/New Business

Mayor Marcuccio questioned Rockville Housing Enterprise raising the amount of units required to be in a lower than average price range. CPDS Director Swift responded that the City was not aware of this until after it happened. Director Swift understood that RHE was also not aware of the requirement nor were their consultants. Councilmember Pierzchala suggested having RHE come back to the Mayor and Council and provide a recap of what happened and how they plan to proceed going forward. CPDS Director Swift noted that staff is preparing a monitoring program that will be brought to the Mayor and Council and that RHE would be contacted to come back to the Mayor and Council.

14. Adjournment

There being no further business, the Mayor and Council adjourned at 8:36 p.m.

Motion: To adjourn.

Moved by Councilmember Hall, seconded by Councilmember Pierzchala.